

14th December 1923]

TAXATION.

Fresh taxation.

50 Q.—Mr. S. SATYAMURTI: Will the hon. Member for Finance be pleased to state whether the Government have any proposals of fresh taxation for the next financial year?

A.—As at present advised, the Government hope that it will not be necessary to introduce fresh taxation next year.

II

MOTIONS FOR REAPPROPRIATION FOR 1923-24.

Mr. S. SATYAMURTI:—"I would like to raise a point of order, Sir, if I may, or rather two points of order, if you will kindly allow me to do so."

The hon. the DEPUTY PRESIDENT:—"Yes."

Mr. S. SATYAMURTI:—"My first point of order, Sir, is this: that no Motion for a grant of money by this House can be made except on a Message from His Excellency the Governor, which Message, according to the terms of the Government of India Act, should be communicated to this Council under section 72-D (2) (c) which runs thus:

'No proposal for the appropriation of any such revenues or other moneys for any purpose shall be made except on the recommendation of the Governor, communicated to the Council.'

"Now, I would respectfully invite you, Sir, to turn to Standing Order No. 69 under which communications from the Governor to the Council are made. Standing Order No. 69 says:

'Communications from the Governor to the Council are made—

- (1) by a speech; and
- (2) by a written message.'

"As far as I see at present, Sir, subject to correction by the Treasury Bench, I see no communication from the Governor, either by a speech, or by a written message. I may invite your attention, Sir, to the Message remitting the Religious Endowments Bill back to us when a Message was read to this Council by the hon. the President signed by His Excellency Lord Willingdon. I, therefore, put it to you, Sir, as a point of order that this Motion, which my hon. Friend the Law Member wants to make, is out of order in the absence of a communication from the Governor which, if I may say so respectfully, according to the terms of the Government of India Act, must be communicated to this Council, and that communication can be only by a speech, or by a written message; and I have no doubt, Sir, that it does not require any stretch of interpretation of language to say that the speech can be made only by His Excellency the Governor, or that a written message can only be written or signed by him. I do not think that Parliament contemplated the idea, when they gave this power to the Governor, that His Excellency should be allowed to delegate it to the Members of his Cabinet. I, therefore, suggest, Sir, that it is a very important matter which will have to be very carefully considered—as I have no doubt it will be—and a ruling given. I suggest, therefore, that this Motion is wholly out of order."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. Deputy President, though it is a point of order and the decision of this question is entirely vested in you, I take it that you will permit me to offer a few remarks."

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The hon. the DEPUTY PRESIDENT :—“ Yes.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ Mr. Deputy President, under section 72 D (2) (c) at page 53 of that volume to which advertence is made—

‘ no proposal for the appropriation of any such revenues . . . shall be made except on the recommendation of the Governor, communicated to the Council.’

“ What is, therefore, needed is a recommendation. There is a distinction made and that distinction has been observed during the whole series of grants in the lifetime of the last Council between a ‘ communication ’ in the technical sense of the word used in the Standing Orders and a ‘ recommendation.’ It is true that under Standing Order 69, at page 80 of Volume II communications from the Governor to the Council are made either by a speech, or by a written message. The word ‘ communicated ’ in the Government of India Act is used not as necessarily involving, or implying, any such communication under Standing Order 69. The distinction, I take it, Mr. Deputy President, is that in the case of financial business, there is a recommendation by the Governor. That recommendation is conveyed by Members of the Reserved or the Transferred half of the Government to the Council. That recommendation is not stated to have as an obligatory feature of it any special message or speech from His Excellency the Governor. All that the Government of India Act requires is that it should be communicated to the Council and that it should be a recommendation from the Governor. From my place here I assure the Council that there has been a recommendation of the Governor; it has been communicated through me to the Council. The verb ‘ communicated ’ is not necessarily to be read as involving or amounting to what have been termed ‘ communications ’ under the Standing Order which applies to the formal ‘ communications ’ which His Excellency the Governor desires to make as head of the Province to the Council. It is that kind of communications that is referred to there in saying that communications are made by a speech or by a written message. Quite apart from that, if we have to follow precedents, undoubtedly you will allow this circumstance, to weigh with you, Mr. Deputy President, that during the lifetime of the last Council, these recommendations have been made in this way, and I would ask you, Sir, to give a ruling on that basis. That is my submission.”

Mr. S. SATYAMURTI :—“ I know I cannot speak except with your indulgence, Sir. But if you will be so good as to give me another chance of saying just two or three words in answer to the hon. the Law Member, I shall be much obliged.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ With great respect, if I may intervene at this stage, Sir, I may say that these points of order are entirely at your disposal and discretion.”

The hon. the DEPUTY PRESIDENT :—“ It is a point of order, no doubt. But such communications were made hitherto in the last Council through the Members of Government; and if precedents would sanctify proceedings, then I would consider the procedure now followed by the hon. the Law Member to be in order. The precedents are all in his favour. The rules have been interpreted as he interprets them to-day. So, I will decide the matter in his favour and ask him to proceed.”

Mr. S. SATYAMURTI :—“ I bow to your ruling, Sir; but may I ask one question just to make the position clear?”

The hon. the DEPUTY PRESIDENT :—“ I am afraid I have given my ruling, right or wrong, and no further questions should be put.”

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Mr. S. SATYAMURTI :—" May I raise another point of order, Sir ?"

The hon. the DEPUTY PRESIDENT :—" Yes ; if you like."

Mr. S. SATYAMURTI :—" My next point of order is this, Sir. Section 72 D(2) of the Government of India Act contemplates that—

' the proposals of the local Government for the appropriation of provincial revenues and other moneys in any year shall be submitted to the Vote of the Council in the form of demands for grants.'

" That is the governing section there. Now, if you will be so good as to turn to the Legislative Council Rules, Sir, Rule 26 deals with Demands for Grants (*vide* page 164 of Volume I). Then, Rule 32 deals with what are known as Supplementary or Additional Grants. I shall read to you, Sir, Rule 32, which runs thus :—

' 32 (1). An estimate shall be presented to the Council for a supplementary or additional grant when—

- (i) the amount voted in the Budget of a grant is found to be insufficient for the purpose of the current year, or
- (ii) a need arises during the current year for expenditure for which the Vote of the Council is necessary upon some new service not contemplated in the Budget for that year.'

" These are the only two Rules, Sir, under which the Government can come to this House, either for Grants at Budget time, or for what are known as Supplementary or Additional Grants. If you will be so good, Sir, as to turn to the Order of the Day, you will find that these things come under ' Motions for Reappropriation '. My first submission to you, Sir, is this, that there is no provision, either in the Act, or under the Rules, for these Motions for Reappropriation. If you will permit me, Sir, to refer to the Explanatory Memorandum of the hon. the Finance Member submitted to this House two days ago, I believe he refers there to Rule 34, clause (2), in which the provision reads thus :—

' 34 (2) It shall be the duty of the Committee to bring to the notice of the Council—

- (i) every reappropriation from one grant to another grant.'

" I therefore, submit, Sir, that this Grant must come merely as a Supplementary Grant under one or other of the two clauses, of Rule 32 as a supplementary or additional grant. There is no power for the Government to move for a reappropriation in this Council, and there is no power in this Council under the Act or under the Rules to sanction a reappropriation from one grant to another at this stage. Of course, if you will permit the hon. Members of the Government to modify the Grants now as merely Additional Grants, it is perfectly open to you, Sir, but so long as they are not modified, and so long as they stand merely as Reappropriations, I submit most respectfully that neither the Act nor the Rules contemplate such Demands or Reappropriations, as they are called, being made. I, therefore, Sir, request you to give a ruling on that matter."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" The words ' to be provided from savings under Grant VIII. General Administration ' refer to the grant from which the reappropriation is made. Those words were inserted mainly for the purpose of enabling the House to know what the hon. the Finance Member intended to do and how he proposed to provide for it. It was so to say for the purpose of imparting certain information to the Council. There is a great deal of point in what has fallen from the hon. Member for the University in regard to the technical procedure

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that these are extra, supplemental or additional grants. It is because they are extra, supplemental or additional grants and we are seeking to provide for the payment of those grants, that the expression 'Reappropriation' has been used, and the explanation 'to be provided for under Grant' has been added. These may be treated as surplusage, and all these grants may be taken as additional or supplemental grants. With your leave, Mr. Deputy President, I would like to say a few words."

The hon. the DEPUTY PRESIDENT :—" Yes."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" The same point was raised by the hon. Member for Kistna, Mr. M. Ramachandra Rao, in the last Council, and I think—I am, of course, speaking subject to correction—I think a ruling was given on this matter. The same question arose whether the word 'Reappropriation' may be used, and according to that decision the words 'to be provided under,' etc., were used.

" The point is that we do not want to exaggerate our total expenditure. Supposing we ask for a Supplementary Grant, the Council will be under the impression that in addition to the original budget allotment, we are asking for extra expenditure. All those explanatory words were added in order to show that we are able to provide funds for the purpose out of the savings in the Grant mentioned. It was with that object that those words were used. But I have no reason to object to the exclusion of those words."

The hon. the DEPUTY PRESIDENT :—" The hon. the Law Member will proceed."

Mr. S. SATYAMURTI :—" May I take it, Sir, that that is the ruling on my point of order ? "

The hon. the DEPUTY PRESIDENT :—" Yes, in the light of the explanation given by the hon. the Law Member."

Grant VI.

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Sir, on the recommendation of His Excellency the Governor, I now move—

That the Government be granted an additional sum of Rs. 14,300 under 'Irrigation—Civil Officers—Reserved' to be provided from savings under Grant VIII—General Administration—Reserved.

" If hon. Members will turn to page 5 of the Memorandum of the hon. the Finance Member, which has been placed on the table of the Council, they will see that there were certain urgent repairs in regard to certain minor irrigation works which had to be undertaken in order that the neglect of those necessary repairs may not result in damage. I see that no Amendment has been tabled, and I therefore move that the Government be granted that sum."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" Sir, this is a Motion made for the additional allotment of Rs. 14,300 for what are known as minor irrigation works in charge of civil officers. If I like at this stage to make a few remarks on this Motion, it is because there has been a feeling expressed in this House for some time past that the expenditure under the head 'Minor Irrigation Works' has been very unsatisfactory. I wish to draw the attention of this House . . . "

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The hon. Mr. C. P. RAMASWAMI AYYAR :—" May I ask the hon. Member whether he means insufficient or unsatisfactory ? "

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" The expenditure is unsatisfactory for important reasons, the amount provided is insufficient, and the way in which it is distributed is also open to grave objections. I shall make the point clear as I proceed. I will draw the attention of the House to the fact that at the time when the hon. Member for Revenue asked for a grant of Rs. 8.18 lakhs under this head, I raised this question about the expenditure on minor irrigation works by a Motion for reduction of the total allotment by Rs. 100. It would be clear from the discussion which took place on that occasion that, whereas out of that amount of Rs. 8 lakhs and odd, over two lakhs was taken up for establishment charges, the amount provided for works alone was less than six lakhs. We wanted to ascertain as to whether explanation was given about the various minor irrigation works scattered over the several districts in the province, whether statements were made as to how many of them were out of repair and whether there was a regular programme for setting them in order, and as to whether the Council would be furnished with more information. In the course of the discussion, the hon. the Member for Revenue was able to state thus :

' Nobody would be gladder than myself if the financial position of the province would permit larger sums being spent on minor irrigation works. That will certainly conduce to the welfare and happiness of the ryot, but we have to cut our coat according to the cloth.'

" Having stated that, he could not, owing to the exigencies of finance, provide for minor irrigation works to the extent to which he would desire. He stated that he could not give a correct idea as to the principles upon which provision was made. This is what he stated :

' However, some time ago the Government took pains to find out what the average expenditure on minor irrigation works should be. It was impossible, of course, to decide by any rule of thumb how much money should be spent in a particular district and how much money should not be spent. However, the Government laid down a certain formula. Every Collector before budgeting for the amount of money required for minor irrigation works was to observe this formula. That formula was that in the case of the wet lands the expenditure should be at the rate of 12 annas per acre and in the case of the single crop land it should be 6 annas per acre. Although this formula was laid down, the Collectors were at the same time authorized to budget for more or less, indicating the reason for the departure from the formula.'

" Now, I wish to raise this question as to the expenditure on minor irrigation works whether they have been observing the formula suggested, whether it is the one that has to be applied, or whether it meets the requirements of minor irrigation in each of the districts and whether the necessary provision has been made. If I now wish to object to this Grant, it is because, after the discussion which took place on this subject, the Resolution was finally lost, it is necessary for us to have an account as to whether minor irrigation works have been looked after adequately during this year. When the attention of the hon. Member for Revenue has already been drawn to the unsatisfactory way in which proper account was not taken of the various small minor irrigation repairs, it is now due to the House that when coming for additional grants for minor irrigation you should convince us that necessary enquiries have been made and action has been taken with regard to wells and all other minor irrigation tanks, and that due provision has been made for the repair of those works which have been out of repair, and if it is for the purpose of carrying out that object that additional money is now required, I think, Sir, that the information placed before us is very meagre that Collectors have asked for these grants as you find on page 5 of the Memorandum.

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I think we are entitled to know what the Government has done during the year when objection has already been taken against the insufficient expenditure of money, and till we know it, we cannot be called upon to support this proposal."

Mr. S. SATYAMURTI :—" I rise to oppose this Motion, not so much upon the merits of the particular Grant asked for, as upon the haphazard, unbusiness-like way in which the budget of this Government seems to be drafted and the way in which supplementary demands are made. Because there is a provision in the Government of India Act and in the Devolution Rules regulating the procedure, they cannot, without taking any precautions at the time of the framing of the budget, simply come to this Council at the last moment and say ' I want this Grant '. I think this is against all considerations of public finance in all Responsible Governments. I want hon. Members to look into the Note prepared by the hon. the Finance Member in explanation of this Motion, wrongly called by a new term ' Reappropriation '. Sir, hon. Members will find that except for Madura, where a paltry sum of Rs. 800 is wanted for repairs to breaches caused by the monsoon, all other incidents could have been, and ought to have been, foreseen. For Guntur the budget allotment has been found to be insufficient and the Collector spent in the first half-year 84 per cent of the allotment sanctioned for the district. If you ask ' Why do you want more money ? ', the answer is, ' Because I have spent it '. It is like a schoolboy answering when he is asked why he came late, ' Sir, I came late. ' Certainly it is not an answer to be expected from a Responsible Government Executive. Why did not the Government know that so much money would be wanted ? To say suddenly ' I spent the money and I want more money, ' is ridiculous. It seems to me that unless they give certain definite reasons why they could not have been able to foresee this, this House ought not to convert itself into a House for registering the decrees of the Executive. Again, for Ramnad, it is said in a delightfully vague way that ' the amount is required for repairs to some urgent small works. "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" The Executive may have been responsible for many iniquities, but it is not responsible for the breaching of tanks. "

Mr. S. SATYAMURTI :—" I appreciate the joke. If really tanks were breached, I take it the hon. Member is bound to tell this House why they allowed the tanks to be breached. I cannot understand the hon. Member, when he is challenged, answering by a joke. Here they have not told us that the tanks have breached. "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I thought the hon. Member's complaint was that we did not give those particulars. "

Mr. S. SATYAMURTI :—" I cannot catch the hon. Member. Then we come to Chingleput where it is said :

' the budget allotment has been found insufficient, as much as 69 per cent of the allotment having been spent during the first half of the year '

" Here again the stereotyped answer. Why did you not foresee those things ? You have got a whole staff of experienced officers, you have got a whole staff of experts. I therefore think that Government ought to have been more careful in framing its budget before coming to this House for these Supplementary Grants and treating them as a normal procedure. I am most anxious that this House should vote against this Motion as a reminder to the

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Executive that this House is not going to let these things go so easily and merely register their whims whenever they wanted money. Rule 32 of the Legislative Council Rules clearly says :

‘ An estimate shall be presented to the Council for a supplementary or additional grant when (i) the amount voted in the Budget of a grant is found to be insufficient for the purposes of the current year, or, (ii) a need arises during the current year for expenditure for which the Vote of the Council is necessary upon some new service not contemplated in the Budget for that year.’

“ I therefore submit that the hon. the Law Member is bound to tell this House what are the new circumstances which were not taken into account, and which could not be taken into account, at the time of the framing of the Budget, but which have since happened. Therefore, I think, Sir, that we cannot blindfold tell the Executive that they can live as in the old days. And though we have not now that financial control we ought to have, and although those powers are truncated, still this House has some power and is going to assert it.”

11-30 a.m. Mr. A. RAMASWAMI MUDALIYAR :—“ Mr. Deputy President, Sir, if there were any justification for the statement made by the bureaucracy that educated Indians hardly know of practical administration and are not responsible for the wild statements made about the Financial and other Departments, I think the speech of my hon. and learned Friend for the University affords ample justification. His speech is one which reveals his colossal ignorance, both of the elementary principles of financial working and the principles of detailed administrative knowledge. Sir, the hon. Member said that in no civilized Government will the administration come forward for a supplementary demand.”

Mr. S. SATYAMURTI :—“ I never said anything of the kind. The hon. Member has been carried away by his eloquence and forgot what I said. I said that there is no Government in the world which will come forward with a supplementary demand without stating that there were new circumstances which they could not have foreseen.”

Mr. A. RAMASWAMI MUDALIYAR :—“ I do not see much difference. I leave my hon. Friend representing the cultured electorate of the University there. He is not a humble Member of a mass electorate like mine.”

Mr. S. SATYAMURTI :—“ Mine also is.”

Mr. A. RAMASWAMI MUDALIYAR :—“ I must say that if the hon. Member had known something more of how financial matters are being carried on in other civilized Governments, he would not have come forward with the theories he propounded. Sir, in England the financial business of the country is done in a very different state from what is done here. There are motions introduced by responsible Ministers of Government. For instance, when the air service was newly started in 1920, the hon. Minister introduced a token motion that the Government be granted £ 100. On that being granted, he spent several millions and later on came with a supplementary demand. This is the thing that is done in all civilized Governments. The Budget is prepared months before for the coming months. The Budget is prepared by heads of departments for the next current year. If it is remembered how the Budget is got up, it will be remembered how difficult it is to foresee things many months beforehand. The particular item which the hon. Member for the University has taken hold of is a very unfortunate item. It is one of the many items

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which is impossible for any Collector to foresee either the tenth or one hundredth part of the real cost because the items are several in number and spread over the whole district area. Moreover, these supplementary grants are intended to satisfy the unforeseen expenditure that may arise in the course of the year. So there is absolutely nothing wrong in the Government coming forward for a supplementary grant for an item which could not have been foreseen. It is all very well to say that business capacity requires that these things should have been foreseen. But anyone who has known what it is to prepare a Budget estimate for the coming eighteen months will really know the difficulty in estimating the cost of maintaining a particular department. That the forecast which the head of an administration makes in October of this year ought to come to the exact pie in April of 1925 is what he means. Therefore, I do not see any point which the hon. Member has made and therefore this grant should be passed without any division."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I must say that I was somewhat surprised at the tenor of the remarks which fell from the hon. Member for the University. I realize to the full the implications of what he said that this Council will no longer be silent. So far as that is concerned, there can be no two opinions on that point. (Laughter). Then there was something about schoolboys coming late. While the bureaucracy of which I happen to be a temporary Member has been accused of many enormities, it has never been accused of funk and it is not in a spirit of cowardice that this Motion for a supplementary demand has been made. Therefore, there is no particular reason for our giving excuses or evasive answers even from questions arising from the non-silent Member for the University. Then there was an eloquent discourse on public finance as conducted in other countries and the great shortcomings in the Madras way of administration. I am indebted to my hon. Colleague, the Finance Member, for what takes place in the mother of Parliaments. It has been said with reference to England :

' The unforeseen does happen ; emergencies arise, and it is seldom that the original estimates are found to meet all the needs of the year for which they were intended to provide. It would be strange if they did, because they are prepared in October and November to meet the needs of a year which begins in the following April and so does not end until some fifteen months later than the time at which the estimates were settled. Some fresh need for expenditure, unforeseen and unprovided for in the estimates, may be expected to occur in the course of the fifteen months. When it does, to provide for it one or more Supplementary Estimates are introduced towards the end of the financial year, in February or March.'

" Mr. Deputy President, I plead guilty to the charge of following the example of the House of Commons. If that is a sin,—well I am sinning. Then it was stated, why were not all these included in the regular programme ? Cyclones are not pertinently speaking in the regular programme of this Presidency. The breaching and demolition of bunds are things over which we have no normal control in this Presidency. There is one other point I wish to lay much stress upon, because the hon. and eloquent Member for the University being a new Member may not be aware that there has always been a kind of struggle between the various departments for getting money. The Irrigation Department, the portfolio of which I have been in charge, has been waging ceaseless conflicts with my hon. Colleague, the Finance Member. It does succeed often, though partially, and I am glad to say has succeeded. It may be little. But none will get all that one wants. The fact of the matter is that irrigation demands more money than they get and that is why we are not able to distribute grants as equitably as all of us are anxious to do.

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Speaking for myself, I should like to see the grants doubled. But then we have to see that the financial needs of the Province and the many demands that are made by the progressive departments administered by my colleagues to the right have to be satisfied. It is because of this circumstance that minor irrigation works have not got an allotment which they are entitled to get in my opinion and which they may get in some prosperous year. In the meanwhile, unforeseen contingencies occur and certain tanks on which we had not spent money to attend to the maintenance and improvement now breach. Some of these might not have occurred if money had been spent already. It is that circumstance of financial stringency or crisis that has been at the bottom of this unforeseen expenditure.

"I now proceed to another point and I am glad to clear the points raised by the hon. Member from Nellore. He stated that there was a controversy raised as to the overmanning of some of these establishments and he wanted to know what has been done in this matter. That question will come in the Public Accounts Committee. As a matter of fact, it has been felt that in some respects the minor irrigation establishments have been overstaffed and certain retrenchments have been suggested. When my hon. Friend from Nellore sees those particulars, he will be satisfied that no stone has been left unturned in respect of the overstaffing question. Then, Sir, I was invited to give particulars. It is easy to have given the particulars; but it was taken that when responsible Collectors ask for sums like Rs. 9,000, 800 and 1,500 spread over their respective districts, they ought to be well known to the Members of this House and there will be no reason for giving full particulars. But inasmuch as the question has been asked, I proceed to give the answers. In Guntur Rs. 9,620 was required for repairs. It was not for anything else but for urgently required repairs. The major portion of the urgent works have been allotted and damages will result if they are not carried on. The Collector spent in the first half-year 84 per cent of the allotment sanctioned for the district. It means that he nearly requires twice as much in order to carry on the works undertaken by the department. He says unless you give something more, you cannot have the tanks and wells repaired. So we come to the Council. Can we turn round and ask which tank are you going to repair? Those particulars cannot be demanded now. At a later stage, when hon. Members wanted to bombard the Treasury Bench, which they are certainly entitled to do, the particulars will be given. A sum of Rs. 7,300 was given to Madura for repairs of breaches caused by the monsoon. Rupees 6,520 have already been given. Still Rs. 800 is required for breaches caused by the monsoon. The Collector, in the first half of the year, has spent 69 per cent of the allotment. Ramnad wants Rs. 1,500 for repairs of small works. The Collector has demanded it after surrendering it at one time on the ground that he would not require it. After surrendering Rs. 2,500 on account of the monsoon, he wanted more money. So he wants Rs. 1,500 out of the surrendered money. Mr. Galletti applied for Rs. 25,000 for new works. We cannot give even half of that. Subsequently he asked for Rs. 3,000. Honourable Members will see that in the case of these works Government, on account of their financial position, gave much less than the amount actually needed for these repairs. It is because of the past stringent financial policy that we have to ask for money now, and I take it that there will be no objection even on the part of the eloquent Member for the University."

The Motion was put and carried and the Grant was made.

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Grant VII.

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Sir, on the recommendation
11-45 a.m. of His Excellency the Governor, I move—

*That the Government be granted an additional sum of Rs. 28,755 under
"Irrigation—Public Works Officers—Reserved" to be provided from
savings under Grant VIII—General Administration—Reserved.*

"Hon. Members may require some particulars on this matter. In reply to a question which emanated from an hon. Member, I stated that the Cauvery-Mettur project is well on its way towards settlement. The technical advisers of the Madras and Mysore Governments have met and have agreed upon certain terms. The matter itself is under consideration by the two Governments. If and as soon as the agreement between the two Governments is ratified, we shall push on that scheme. The result of the scheme will be that Pattukkottai taluk in the Tanjore districts will be one of the gardens of India. Incidentally some other tracts will also be greatly benefited. Above all, the present uncertainty with regard to the irrigation of the existing deltaic area in the Tanjore district will disappear; because we shall have a reservoir which will meet all unforeseen contingencies. In order to explore that and in order to revise the estimates which were originally made so that they may be ready to go to the Government of India, we had to employ a special officer. Some hon. Members may put the question, 'why was not this foreseen'? It was not foreseen for these reasons: It was at one time apprehended that the difficulties in the way of the Madras and Mysore Governments agreeing to this scheme were well nigh insuperable and before May or June it looked as if we might have to resort to arbitration which would have taken years and years. But thanks to the cordial co-operation of the Mysore Darbar represented by its Diwan and the indefatigable efforts of this Government, some way was found out of the difficulty. The scheme got to the stage of maturity and we had to prepare revised estimates so that they may be sent to the Government for sanction. It is with reference to that that we had to incur expenditure in regard to the Special Engineer. Having entertained the Special Engineer, the Madras Government came to the conclusion that one of the great projects which had been held in abeyance and portions of which had been dealt with by successive Chief Engineers and also in Morgan's report, might be carried on and the various parts co-ordinated so as to make a great project. What has been styled the Sangameswaram project in the Kurnool district is done by practically bringing the Kistna and the Tungabhadra waters right across the Presidency down to the Cooum and it is probably going to be the greatest of the irrigation works in India, if not the world. As a necessary preliminary to it we have to obtain the sanction of His Exalted Highness the Nizam's Government in order to conduct some operations in his territory. Also the Government of India Expert is coming down in December or January to look into the scheme and advise this Government as to the feasibility and the expediency of embarking on that great project. It is technically not necessary to get his previous sanction but as we are going to spend something like 25 crores of rupees on that project—it may be even more, this is only a rough estimate—we thought it would be well beforehand to get the consent of the Irrigation Expert of the Government of India, so that there might not be any difficulty afterwards. It is for these reasons that this money is asked for."

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The RAJA OF RAMNAD :—“ May I ask for an information, Sir? What necessity was there to engage a retired official as the Special Engineer for three months at a cost of Rs. 3,000 a month, if it was merely for the purpose of revising an estimate according to current rates? I can well understand going in for a senior officer like that for the purpose of investigation or for framing original estimates. When investigations have been completed and estimates have been prepared, merely for the purpose of revising those estimates according to the current rates, one will expect that even an Assistant Engineer would have been sufficient. But here a retired Chief Engineer has been engaged for the purpose and I think this requires some explanation.”

Mr. C. V. VENKATARAMANA AYYANGAR :—“ May I ask, Sir, for further information as to why the Government should not have extended the term of the retiring Chief Engineer instead of appointing a new Chief Engineer and employing the retiring Engineer as a Special Engineer? One salary would have been sufficient if the term of the previous Engineer was extended.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ I shall first answer my hon. Friend Mr. Venkataramana Ayyangar. We are not entitled to extend the term of the office of the Chief Engineer beyond a certain period without the sanction of the Secretary of State. That was why we had to appoint him as a special officer.

“ I shall now turn to the question propounded by my hon. Friend, the Raja of Ramnad. The Sangameswaram project had to be investigated by Mr. Ramalinga Ayyar as he was thoroughly acquainted with the previous history of this project and had made a special study of it. He has been specialising on that for months before he retired. It was a pity he had to retire when that project had to be finally pushed through and it was in order to enable him to complete that particular investigation and also for another purpose which I will presently mention, that he was appointed as special officer. The original estimate for the Mettur project was found to be totally insufficient having regard to the recent increase in prices and having regard also to newer ideas. Hon. Members will see that there is a difference of about a crore of rupees between the original estimate and the present estimate as revised. Having regard to the conditions prevailing at the time when the original estimate was prepared and to the conditions when the final estimates are got ready for scrutiny by the Government, it practically became a new estimate. It was not without hesitation that this course was adopted; but it was felt that the experience of an officer who had specialised in this project should not be missed. As a matter of fact, Mr. Morgan thought that the Sangameswaram project would not be a success. But Mr. Ramalinga Ayyar dared to differ from Mr. Morgan. Therefore, on account of the difference of opinion between two eminent engineers, we had to invite the opinion of the Government of India expert. It is to satisfy ourselves and because this gentleman who was about to retire had pushed the work to a certain point and convinced us of the utility and feasibility of this great scheme, having differed from his predecessors who did not think that the scheme was feasible, it is to achieve this purpose that we engaged his services for a further period, i.e., merely and solely to allow him to complete his investigation and to leave on record the results of his investigation.”

The RAJA OF RAMNAD :—“ It was stated before that he was appointed for the purpose of revising the estimates according to the current rates. I therefore said that for such a work the ordinary officer of the Public Works

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Department would be enough. But now from what the hon. the Law Member has stated, we find that practically the whole work is being revised, which may include also alteration in the various structures connected with the scheme. If that were so, it will be an original investigation and this statement cannot be correct."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"There is no question of altering the structures. This is a revised estimate having regard to the progress of time between the date of original estimates and the present time and having regard to the newer ideas."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"Sir, I understand from the hon. the Law Member's remarks that to extend the time of the tenure of office of the Chief Engineer, the sanction of the Secretary of State for India is necessary. May I know, Sir, what prevented the hon. the Law Member from getting such a sanction?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"By the time that we get the sanction his term would be up and we came to the conclusion that we could appoint him as special officer for three months."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"Even by cable, Mr. Deputy President?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Even telegrams on such important topics cannot be answered for months."

Mr. S. SATYAMURTI:—"Sir, I am absolutely unrepentant even after the castigation by the hon. Member from Chingleput who seemed to think that he combined in himself all the virtues an educated Indian should have for responsible Government."

Mr. A. RAMASWAMI MUDALIYAR:—"I deny that charge, Sir."

Mr. S. SATYAMURTI:—"Apart from that, I still ask my hon. Friend the hon. the Law Member why he should take this extraordinary step of coming to this House for supplementary estimates unless there is some compelling cause of urgency which cannot wait till March next. If hon. Members will kindly turn to the note prepared by the hon. the Finance Member, at page 6, they will find, as the Raja of Ramnad has already pointed out, the only work under the Cauvery-Mettur project is to have the 'project estimates revised in accordance with current rates'."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Unless we send the estimates for sanction by January, the work cannot be started soon. I want to start the work, if possible, by February or March. Unless we send the project to the Government of India at once, it will take long time to start the work. If I wait till March, that means that one other year is gone."

Mr. S. SATYAMURTI:—"I congratulate the hon. the Law Member on the great expedition with which he wants to carry out this project. But even he must know that these projects do take some time."

The RAJA OF RAMNAD:—"May I just say that in answer to a supplementary question, the hon. the Law Member said that to push on this Mettur project, the contemplated Irrigation Law would be necessary? Am I to understand that the hon. the Law Member expects the Irrigation Law to be passed and to be in perfect working order before February next?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I am in full confidence that the Irrigation Law would be passed soon."

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Mr. S. SATYAMURTI :—“ I now see that difficulties are increasing. If hon. Members look at paragraph 2 of the Memorandum they will find that—

‘ the project has hitherto been held up owing to certain points of dispute between the Madras Government and the Mysore State ; a final settlement is now in sight.’

A very delightful and diplomatic statement. What he says is this : Between the Mysore State and the Madras Government there has been a dispute which has gone on for years and has taxed the patience of eminent men. . . .”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ I do wish that discussions of this kind which may hinder these negotiations are not inaugurated.”

Mr. S. SATYAMURTI :—“ It is not a point of order, Sir.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ I submit that I only appeal to the good sense of hon. Members not to enter into discussions of this sort. I also appeal to the good sense of the hon. Member for the University and I hope my appeal will be responded to.”

Mr. S. SATYAMURTI :—“ I do not understand this, Sir. I do not want that the Madras Government should get anything by favour from any other Government. I stand here representing the people of this Presidency just as much as any other Member in this House and to say that we ought not to discuss about certain things lest something might happen is a thing which I cannot understand. But I only want to ask this question, whether the hon. Member can give confident assurance to this House that before January or February next he is going to have the scheme put into operation.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ It might happen to-day.”

Mr. S. SATYAMURTI :—“ It might not happen for another year.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ If speeches of this kind are made, it might not.”

The hon. the DEPUTY PRESIDENT :—“ The hon. Member (Mr. Satyamurti) may take the assurance of the hon. Member in charge of the Department. He might be able to do it with an amount of expedition. Why should the hon. Member question the capacity or the willingness of the hon. the Law Member ?”

Mr. S. SATYAMURTI :—“ I have never taken assurances from the Madras Government and I do not propose to begin now. I was asking this House to consider whether it accepts that this money should be spent now and should not be sanctioned in March or April next when the budget time comes.

“ I then come to Sangameswaram project. There we are told that—

‘ The Consulting Engineer to the Government of India, whose opinion was invited on the above proposal, has advised that the detailed investigation should not be taken up before the nature and extent of the rock across the river at Sangameswaram as well as the extent of land submerged at the full reservoir level in the Hyderabad State have been investigated in the first instance. With this end in view, the permission of His Exalted Highness the Nizam to carry out the necessary surveys in the Hyderabad State has been applied for.’

Therefore, the preliminary investigations cost all this. Thus it seems to me that here again we have got an element of uncertainty and I do not think anything will be lost by the hon. the Law Member waiting till the next budget time comes and putting forward these estimates as part of the usual grants made at that time of the year, instead of trying to rush these grants

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through just now by using extraordinary provisions which, he is no doubt entitled to, but I do not think, are consistent with the development of the full financial control of this House."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"May I rise to a point of order, Sir? Mr. Sriman Biswanath Das and myself have given notice of Motions with regard to this grant and it has been the practice of this House to take up such Motions first and then go on with the general discussion. But a general discussion is going on now and the Motions have not been taken up. I think that, according to the practice already adopted by this House, these Motions, notice of which has been given, should be taken up first."

The hon. the DEPUTY PRESIDENT :—"They will be taken up soon. We are now having discussion on the main question."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"I want to know, Mr. Deputy President, whether you have overruled my point."

The hon. the DEPUTY PRESIDENT :—"I have overruled you and I am asking the other hon. Member to proceed."

12 noon. Rao Bahadur A. S. KRISHNA RAO PANTULU :—"I regret that in dealing with a Motion of this description, I have to take a different course of action than that of the hon. the Member for the University. I believe it is a long-standing complaint that the Government have not been pushing through the various irrigation projects which are under their contemplation with that promptitude and care which we would desire. And when now this proposal has been made for the purpose of pushing through the Irrigation projects, I think it is our duty rather to further the rapid investigation and execution of these projects than to place any obstacles on the way of pushing those schemes. It is from this standpoint that I approach this question. Though the Cauvery-Mettur project has hitherto been held up owing to a dispute between the Madras Government and the Mysore Government, the hon. the Law Member has been good enough to tell us that an amicable settlement will be made as early as possible, and may we hope that it will not be long delayed? We find an account that, in the case of the prosecution of the Sangameswaram project, it is necessary to carry on the investigations with the help of His Exalted Highness the Nizam's Government, and let us hope that attempts made in that direction will also be successful. Sir, if I have risen to offer some remarks on this Motion, it is because I feel that further information is necessary regarding the possibilities of the Sangameswaram project which is one of the items which have been referred to by the hon. the Law Member. Mr. Morgan's report does not give any detailed information regarding the Sangameswaram project. Having carefully gone through that project I find the scheme suggested by him . . ."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I desire to make a statement. I realize that it is to a certain extent a new project, and I propose to place on the table of the House a full account of the project. It will serve one or two more districts than those that are found here."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"I am glad to hear from the hon. the Law Member that he will shortly place before us further information regarding this. But before we are called upon to vote for this Motion, may I not expect him to give us more information than the meagre one furnished in this note? For, we believe from the remarks made by him that all points within those proposals are embodied in certain other schemes

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referred to by Mr. Morgan. We find from Mr. Morgan's report that the Tungabhadra project, which is intended to serve a number of districts, has been shelved. I wish to know whether the Sangameswaram project is intended to cover the scope of the portions of the scheme of the Tungabhadra project which has been investigated by the Irrigation Commission regarding the construction of a reservoir in the river Kistna, and whether it embodies in its scope portions of these two schemes. I am not in a position to understand this. Though the hon. the Law Member may take some time to have all these proposals matured so as to place them before this House, may I not ask him on this point, when asking for a grant, of investigation of a scheme to give us what further information he has at his disposal regarding the Sangameswaram project? The details given are so meagre that I am constrained to ask for this information."

The hon. the Deputy President then called upon Mr. Biswanath Das to move his Amendment.

Sriman BISWANATH DAS Mahasayo :—" Sir, I beg to move—

That the sum, Rs. 28,755, be reduced by Rs. 100.

" Sir, I do not mean to join in the discussion that has been going on regarding the Grant. I only want some information regarding the Ganosala project that is to be started in the Ganjam district. I request the hon. Member for Irrigation just to inform us the stage in which this project stands. At the time of the last Budget, the hon. Member for Irrigation was pleased to inform us that he awaited the sanction of the Government and as soon as he got it, it would be put into execution. I therefore request him to make a statement on the subject, so that we shall be in a position to know when we are to have that work started."

Rao Bahadur C. V. S. NARASIMHA RAJU :—" In the Appendix to the Demands we find a short description of the Sangameswaram project. From this it is clear that about 17 lakhs of acres are to be irrigated when this scheme matures. According to the description given in Mr. Morgan's report on page 12 regarding the Kistna Reservoir project, we understand it is to irrigate about 7 lakhs and odd acres. First of all, I wish to know whether both these schemes will be executed separately, or whether the execution of the Sangameswaram project will make it unnecessary to construct the Kistna Reservoir project. If we are to go into the details of the areas that are to be benefited, as far as the Kistna district is concerned, I do not think that the Sangameswaram project will be very beneficial. We know that under the Kistna Anicut system there are 8 lakhs and odd acres being irrigated, besides the Divi project which irrigates more than 60,000 acres. By constructing a reservoir higher up at Sangameswaram, what would be its effect upon the irrigation of the Kistna Anicut system as well as the Divi pumping system is a matter which should be made well known to the public. In this case, as in the case of the Metur project, I suspect there is some difficulty because of their being situated in the Indian States. I know when the Metur project was begun to be investigated and when so long ago as 1910 the Madras Government was getting estimates prepared and revised, the Mysore Darbar had finished its Kannambadi project and set the whole scheme in working order; and just like that, even in the case of useful and prosperous projects like the Sangameswaram project, there may be every possibility of the advantage being reaped by the Indian States. I do not agree with the hon. Members, Mr. Satyamurti and others, who say that this

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expenditure is unnecessary because, having had the experience of the Metur project, one would be anxious to push through every scheme, more especially those projects connected with Indian States. We want every scheme to be completed. After all, it is only continuing the services of an Engineer who has great experience in irrigation. I had a few hours conversation with Mr. Ramalinga Ayyar and I am sure that that gentleman will make any one understand the various technicalities of these projects, and the lucidity with which he is able to explain matters will make even a lay man appreciate the usefulness of the continuance of his services to the State."

Rai Bahadur T. M. NARASIMHACHARLU :—" Mr. President, Sir, if the
12-15 p.m. hon. Member, Mr. Satyamurti, will not take an assurance from Government Members, I hope he will have no objection to take an assurance from me, a Member like himself on this side of the House. On this question of the Metur project, I have had occasion to converse not only with Mr. Ramalinga Ayyar, but also with the hon. Member for Irrigation when this question came up for consideration in the Finance Committee. I was at first somewhat sceptic as to the usefulness or necessity for the provision now asked for. But on going through every detail, the Finance Committee was satisfied that it was a very useful and necessary provision, and an urgent one too. In the first place, the Metur project has been so far advanced that it only requires revision in some essential particulars and technical details which only an experienced officer will be able to make at the present moment; and, secondly, as the Government assured us that there will be a settlement of the dispute between this Government and the Government of Mysore at a very early date, we, the Members of the Finance Committee, thought that in the interests of the people of this Presidency, an irrigation project like this should be pushed on with as much speed as possible. It is with this object in view that we thought it necessary that Mr. Ramalinga Ayyar's services should be requisitioned for the purpose.

" Similarly, with reference to the Sangameswaram project, it is necessary to find out whether the bed of the river is able to bear the foundation necessary for the contemplated big reservoir. For that, I think, Sir, an ordinary officer like an Executive Engineer or an Assistant Engineer will not do. We want an efficient, experienced and expert officer like Mr. Ramalinga Ayyar for the purpose. That was one of the chief points put before us and, in addition to that, the question was how much land was necessary to be submerged in the Nizam's State in order to have a good reservoir. The soil had to be tested and it was also necessary to ascertain the amount that would be required for acquiring lands for the purpose. These two things cannot be done by an ordinary engineer. These were the points that were specially brought to our notice by the hon. Mr. Ramaswami Ayyar and we were satisfied that this appointment was necessary and that this Grant ought to be moved. I therefore think that under these circumstances my hon. Friend for the University will kindly take the assurance from me and vote for this Grant."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" Mr. President, I rise to associate myself with the views expressed by the three last speakers and congratulate the hon. Member for Irrigation for the expedition with which he has pushed forward two of the schemes that have been waiting for years and years in this Presidency. It seems to be a matter of happy augury that just as we are discussing the matter a despatch has been received from the Govern-

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ment of Mysore. I hope the matter has been more or less settled by means of this despatch. Sir, we did not expect that the Metur project would come to the stage of being started so soon as this. We in the Coimbatore district expect that an opportunity will be given to raise the question whether at least some of the water that will be stored in the Metur reservoir will not be made available for the Coimbatore district. I believe, Sir, at one time there was a proposal to run a channel from the right bank of the reservoir into the Coimbatore district and irrigate some of the lands there. I believe the possibility of doing it has not been completely investigated or decided in any way finally. Now that the matter has come to a head, I request the hon. Member for Irrigation to consider this question also and see whether a portion of the water that is going to be stored at Metur cannot be made available for Coimbatore. By doing that there will be a double advantage. The Coimbatore district is a dry district and its inhabitants are sometimes very near famine. For instance, in the current year there has been no rain and in several portions of the district, the condition is very grave indeed. Cattle are being sold for a third of their purchase value. If a portion of the Coimbatore district can be irrigated with the water stored in the Metur reservoir, this state of things can be improved. If water is taken to Coimbatore, the same water can be utilized for half the acreage below the district, that is to say, the water that will be available for irrigating 50,000 acres in the Tanjore district can be made available for irrigating 50,000 acres in Coimbatore district and another 25,000 acres in Tanjore. So, in that way there will be a double advantage. The only thing we have to consider in this case is whether it will be possible to run a channel from the right bank of the Metur reservoir. So far as I have been able to make out, and so far as I have been able to consult the engineering opinion that was available, I understand that it is possible. So I earnestly request the hon. the Member for Irrigation to bear this in mind and have an investigation made as to the feasibility of this scheme. As I said already, these two schemes are big schemes and the sooner we bring them to a head and start them, the better for our Presidency. Therefore, we have really to be thankful to the hon. the Irrigation Member and not find fault with him for having come to a decision and started the schemes. With these words I very gladly support the main Motion."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Sir, in replying to the observations which fell from some of my hon Friends, will they permit me to thank them for their very helpful remarks, which will certainly be carefully borne in mind? Let me, in the first place, tell the hon. Member from Ganjam something with regard to the Girisola project. Sir, with regard to this the survey is complete. Earth-work has been ordered to be started and by the time we meet for the Budget, a very great deal of progress will, I am confident, have been made with regard to it.

"I shall next turn to Coimbatore. With regard to that, it is doubtless possible that by a system of channels that district may perhaps be benefited by the Metur reservoir. But it is too soon to say what exactly is going to happen. It will depend very much upon the amount of money we are able to get from the Government of India and the way in which we are able to fashion our reservoir and our channels. If our estimates are sanctioned in their entirety, I believe the reservoir may have enough storage to permit of that. I do not desire to give this as an assurance, but I am only mentioning it as a possibility.

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possible. Three years have already passed, and I should like to know what progress we have made. We have done very little and our pace is very slow.

"Then, Sir, if you will look into the newspapers you will see that most of the presidents of district boards—it may be in their private capacity—acted as agents to the parties, and some of them acted as agents to the Ministry here that stood as candidates in their respective districts."

Diwan Bahadur P. KESAVA PILLAI:—"I rise to a point of order. Nearly a dozen Members have spoken like this. I for one deny that I ever acted as agent to the Ministry. It is rather a vilification."

Sriman BISWANATH DAS MAHASAYO:—"I know that. I say that from personal knowledge. I speak of my district, and I apologize if he takes it amiss. I say I have got everything on record. I do not speak anything which I cannot prove."

"This being so, Sir, I think the Resolution does not go very far. The presidentships of district boards should be absolutely left open for election. If my Mussalman friends do think that they do not find places in them, I think as private individuals we shall appeal to the gentlemen belonging to other castes in those districts whether they cannot help the former. I think that would be the best guarantee that they can ever have, or if they want to press any Amendment I for one have no objection. I do not think there will be many in this House who will take objection to that course. Anyway our belief is very strong on the point that we do not go further. With these few words, I support the Resolution."

Mr. T. ADINARAYANA CHETTIYAR:—"Sir, every Member of this House knows that things are not satisfactory in this department. In the first place, we heard that only 6 out of 25 district boards at present enjoy the privilege of electing their presidents. If the hon. the Chief Minister does not seem to be proud of this state of affairs, I need not offer any remarks about it. That the hon. the Chief Minister has conceded that wherever two-thirds of the members of a district board ask for the election of president the elective franchise will be given, is not encouraging. Whether two-thirds of the members ask for it or not, we must insist upon the franchise being given. We know that the concession which he yields is nothing, because it is common knowledge that during the last three years in which he has been in charge of the Local Self-Government portfolio, the composition of the district board, especially the nominated portion, does not represent the views of the majority of the people."

"Mr. President, one of the reasons, not convincing, but all the same adduced by the hon. the Chief Minister, as to why he could not throw open district board presidentships for election was that their finances were bad. Sir, may I ask, what guarantee is there that this financial stringency will not be perpetual and that nominations will not be allowed to go on? I wish also to point out to the hon. the Chief Minister that the aim of all good administration must be not only good, but such as will convince the world that it is good. My previous speaker said that there is a good deal of suspicion regarding nominations. It is true to say, if I am not mistaken, that the gift of nomination has been misused in this particular department, and that suspicion appears to be not altogether groundless when inefficient people were nominated while really better and capable men were available. This

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The hon. the PRESIDENT:—"Where are the words 'for the relief of' etc.?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Sir, the Grant is for the relief of the sufferers in Ganjām and Vizagapatam districts. In the explanatory Memorandum which is given by the hon. the Finance Member at page 7, these words occur."

Mr. S. SATYAMURTI:—"Sir, my point of order is this, and I crave your ruling on it. Under section 72-D of the Government of India Act, sub-clause (2) (c)—

'No proposal for the appropriation of any such revenues or moneys for any purpose shall be made except on the recommendation of the Governor, communicated to the Council.'

"Sir, my submission is that no recommendation of the Governor in regard to this grant has been communicated to the Council as provided for by Standing Order No. 69."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Sir, exactly the same objection was raised on another Grant before you, Mr. President, came and took your seat."

Mr. S. SATYAMURTI:—"I do not want to answer that. Standing Order No. 69 reads 'Communications from the Governor to the Council are made—

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(1) by a speech; and (2) by a written message'.

"You will notice, Sir, that the word 'communication' is used both in the Government of India Act and in the Standing Orders providing that the only two ways by which communications could be made by the Governor to the Council are either by a speech or a written message. I submit, Sir, with some confidence and in all humility that that speech or that message could be only by His Excellency Lord Willingdon and not by anybody on his behalf, not by any officer designated in his name and in his official capacity. The statutory provisions or the Standing Orders of this House provide the manner in which that communication should take place. I submit that in the absence of that speech or written message it must be presumed that there is no message which this Council, as a Council, can take cognisance of. The hon. the Law Member, in answer to my objection earlier to-day, said:—"I from my place in this House give you this message from the Governor that he has recommended'."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I did not."

Mr. S. SATYAMURTI:—"I stand corrected. Therefore the position is much easier. I rose on a point of order on an earlier Motion and I submit that this is a fresh Motion on which I am entitled to raise a fresh point of order. I crave your decision on the Act and on the Standing Orders as they stand."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I am not entitled to address the Chair, but with your permission, Sir, I hope to be allowed to make a few remarks. There is a somewhat familiar doctrine of law known as *res judicata* by which if a case has been decided on certain issues, the same issues are not allowed to be raised again in another case."

The hon. the PRESIDENT:—"I take it that it is in another case and between the same parties."

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The hon. Mr. C. P. RAMASWAMI AYYAR :—" I stand corrected by the hon. the President and the analogy is complete. The case, such as it was, was this point of order. It rose on another ground and the parties were the same. The learned and the eloquent Member for the University, fresh from the study of the Standing Orders, was the plaintiff. I was the defendant, and the issue was decided by the hon. the Deputy President, who gave his ruling on that matter. I submit that that principle is one of wide and indeed of universal application. I do not rest content with that. I shall, with your leave, address myself to the particular subject.

"Turning now to the Government of India Act, it says that—

No proposal for the appropriation of any such revenues or other moneys for any purpose shall be made except on the recommendation of the Governor, communicated to the Council.

"The recommendation is communicated through the hon. Member in charge of this Motion whether he is Minister or Member. The recommendation is now before the House. It is well known to a President like you, Sir, versed in precedents, that during the lifetime of the last Council, this recommendation has been conveyed by the responsible Member or Minister in charge. I desire to indicate just now that it is such a recommendation that is before the House. The word 'communicated' in the Government of India Act (page 53) is used not in the sense of the word 'communication' used in the Standing Orders, but in the sense of things passing from one to another, just as I communicate my words to you. It is the recommendation to be communicated. So long as there is no rule laying down that the communication under this section shall be in one way or the other, it may be done in any of the recognized ways. Turning now to the Standing Orders the word 'communication' is used in a general manner. It is a technical expression and has no special advertence to the word 'communicated' in section 72-D as having reference to certain types of communication from the Governor to the Council and *vice versa*. I submit therefore we should reconcile these two enactments, and it ought to be done especially having regard to the precedent in the matter. I say there is nothing of substance in this point of order apart from the contention that I venture to urge, that the principle which I have been enunciating is one of wide and important application."

The hon. the PRESIDENT :—" The words used are 'except with the recommendation of the Governor communicated to the Council'. Your contention is that the Governor can make no communication except in writing or by a message sent to the President. Is that not so? "

Mr. S. SATYAMURTI :—" My contention is that communications can take place either by a speech or by a written message. And if I may add, on the question of precedent, it was only the other day we had the pleasure of listening to a message from His Excellency the Governor regarding the Religious Endowments Bill which you read to this House, and I believe it was signed by His Excellency Lord Willingdon. I therefore submit that the word 'communication' is a well-known English word used in the Act and in the Standing Orders and the framers of the Standing Orders must have had the Government of India Act in their minds. And after all, the question of *res judicata* does not arise, because I am not a party to this dispute at all. It is not a private dispute. I am only speaking of the privileges of this

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House. It is by mere accident that I am raising this point of order. Therefore I submit that it is up to this House that such important communications or recommendations should not be taken unless there is something to show that it has been recommended. At present there is only the statement made *ex cathedra* by the hon. the Mover of the Motion. And I submit therefore that the point of order does arise."

The hon. the PRESIDENT:—"For the last three years we have been passing a number of supplementary grants. Even the Budget, I think, never came with such a formal communication. The point now raised is very interesting. I will reserve it for careful consideration; in the meantime we will proceed with this grant."

Mr. S. SATYAMURTI:—"Sir, may I make one suggestion? I suggest that this Motion might be allowed to lie over, till the point is considered."

The hon. the PRESIDENT:—"I would like to consider the question in all its bearings, but it must be noted that for the last three years, before we had the pleasure of having Mr. Satyamurti in our midst, we have been allowing a number of grants which have come down to us, generally taking the hon. the Finance Member's statement as equal to the communication from the Governor. That has been the practice of this House. Of course the hon. Member is not bound by it. But the other hon. Members who sat in the last Council with me are expected to understand that practice. They cannot easily go back upon it. That being so, before I begin to express an opinion upon it, as it were casting a doubt upon everything we have done for the past three years, I will consider the matter very carefully. Probably, in all these cases the Governor might have permitted those things."

The hon. Sir CHARLES TODHUNTER:—"Most certainly, Sir."

The hon. the PRESIDENT:—"It may not be difficult for us to get a few lines in writing from the Governor saying that all those Grants which have been put forward have been allowed by him to go forward. I do not think we will be justified in stopping the work from going on."

The hon. Sir CHARLES TODHUNTER:—"This paper has been forwarded, as it is stated at the top of the schedule, on the recommendation of His Excellency the Governor. The paper was submitted to him before it is laid on the table of the House."

The hon. the PRESIDENT:—"What Mr. Satyamurti contends is that it is an unsigned document and that he would not be content with it. He wants something signed by the Governor. That is the point which I wish to consider carefully."

Mr. S. SATYAMURTI:—"The Standing Order wants it, Sir. Another point of order, Sir, on which I want your ruling, which according to the hon. the Law Member is *res judicata*, is this: Under the Government of India Act there is only one provision under which proposals for Grants can come before this House. According to section 72-D, clause (2), proposals of the Local Government for the appropriation of provincial revenues and other moneys in any year shall be submitted to the vote of the House in the form of demands for grants. That provision alone governs the procedure for proposals for grants being placed before the House. Turning now to the Legislative Council Rules, Rule 32 says:

'That an estimate shall be presented to the Council for a supplementary or additional grant (1) when the amount voted in the budget of a grant is found to be insufficient for the purposes

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of current year, or (2) a need arises during the current year for expenditure for which the vote of the Council is necessary upon some new service not contemplated in the budget for that year.'

"Only under these two contingencies the Rules contemplate a supplementary or additional grant. You will find Order of the day No. II reading thus:—'Motions for reappropriation for 1923-24'. If you will read the Motion before the House 'that the Government be granted an additional sum of Rs. 1 lakh . . . to be provided from savings under Civil Works—'Transferred' it does not purport to be a demand for additional or supplementary grant as it has been described. But it is a motion for reappropriation from one head to another. The amount has been sanctioned for another purpose. On that matter Rule 34 of the Legislative Council Rules defines the functions of the Public Accounts Committee.

'It shall be the duty of the Committee to bring to the notice of the Council every reappropriation from one grant to another grant.'

"It contemplates the previous reappropriation by some agency, certainly not this Council, from one grant to another grant, being reported to this Council by the Committee of Public Accounts. If you will kindly turn to the paper the hon. the Finance Member very kindly circulated to this House a few days ago explaining the procedure underlying this motion, it says:

'It seems to be preferable to reappropriate from the savings that have been made to cover the new expenditure that is now necessary. Consequently the motions that are now tabled are motions to meet new demands by reappropriation from sums resumed under existing heads of the budget.'

"Towards the close of the first paragraph of the Memorandum he says: 12-45 p.m. 'Under the rule 34 (2) (i) of the Legislative Council Rules, the Legislative Council can transfer funds from one grant to another'. I submit, Sir, there is no such power vested in this Council. We can only discuss either a proposal for a grant for the first time coming at the budget time, or a proposal for a supplementary or additional grant. Although the Government benches may give reasons for incurring this expenditure under the Transferred head, it cannot be put as part of the Motion, the Motion itself being converted from a motion for an additional or supplementary grant to a motion for reappropriation from one grant to another. It is not a mere technical point, Mr. President, for I think it goes against the fundamental principles of finance, viz., that lapsed grants must be taken over to next year and not reappropriated in this haphazard fashion at the end of the financial year. That is why, Sir, I am raising this point of order. I request you, Mr. President, not to treat it as a merely technical matter, which I am sure you would not, but as one raising an issue of some financial importance in regard to our Budget and the supplementary grants."

The hon. the PRESIDENT:—"Do I understand the hon. Member to say that the Government could go on spending the money without our sanction? That is what it comes to. The point of order is that this Motion of the hon. the Law Member is out of order because the Government do not ask for money for the first time, for a fresh grant, but only ask for lapsed money from savings effected."

Mr. S. SATYAMURTI:—"Not at all, Sir. The point that I raised was that the Motion up to the third line that is now being discussed, is entirely in order because this House has got the right to discuss it. But, Sir, the point is, the words 'to be provided from savings under 'Grant

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XXVIII. Civil Works—Transferred' appearing at the end of the Motion on which the hon. Member has said that it is a mere surplusage, are not to occur, for the proposition with these words would be out of order. This House ought not to be committed by such a demand to a reappropriation of one grant to another, the responsibility for which the executive must take. According to the Act, the Public Accounts Committee must scrutinize and report to this House of such cases. I am not suggesting that they can spend money without our control. Nothing is farther from my mind, for I am anxious to increase the control of this House. I am only suggesting that while asking for a supplementary grant, they ought not to get our implied or express sanction for reappropriation of one grant to another which ought to be discussed on its own merits as to whether that expenditure has been properly effected and has resulted in a saving or whether the saving is just or has been arrived at by starving some items of the grant. That discussion would come before the Public Accounts Committee and not before us."

The hon. the PRESIDENT:—"This question, I am afraid, affects the procedure which we have been regularly following for three years."

Mr. S. SATYAMURTI:—"I am very sorry for it."

The hon. the PRESIDENT:—"I know that Mr. Satyamurti is very sorry."

Mr. S. SATYAMURTI:—"I beg your pardon, Sir. I did not mean any bitterness or contempt. I was sorry for raising it for the first time now."

The hon. the PRESIDENT:—"I do not think any hon. Member has reason to feel sorry for raising a point of order, for it is by such points of order being raised that our procedure can be regularized. But I should mention that this point really affects the course which we have been following for some time. I would rather adjourn this also for further consideration and allow all these Motions to be disposed of. If I think that the procedure should be in any way altered, I shall tell the Government to do so. I am much obliged to the hon. Member for raising it."

Mr. S. SATYAMURTI:—"I thank you, Sir."

The hon. Mr C. P. RAMASWAMI AYYAR:—"Sir, I take it now that I am not asked to say anything with regard to the point of order now raised. I shall reserve my remarks till the occasion comes."

"This Motion, as hon. Members will perceive, is one necessitated by the recent and devastating cyclone in the districts of Ganjam and Vizagapatam and it is for the relief of the sufferers. It is impossible now, owing to the paucity of information available from the areas affected, to find out under what heading the relief should be given. I am not going to say more about it in detail at present, because I notice on the agenda paper an amendment very legitimately inserted at the instance of Mr. Narasimharaju, raising a discussion regarding the scope of relief to be afforded. No one will be more glad than the Government to get suggestions from hon. Members as to the proper and legitimate scope of the relief. But all that I have to say by way of prefatory remarks is this, namely, that at the present stage it is not possible to say that one lakh of rupees would be utilized in one form or another, in building houses or repairing irrigation works, or in affording money doles to sufferers. But as the pressure is urgent, and the

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relief has to be extended almost immediately, it is feared that this one lakh is but the beginning of a series of Grants which the Government will have to ask for in order to adequately and properly relieve the distress which is unprecedented and distressing beyond measure. At the present moment we come before the Council asking for a lakh of rupees and trust that, after the Council has made its views perfectly apparent as to the direction which the relief measures should take, they will grant us further sums."

Rao Bahadur C. V. S. NARASIMHA RAJU:—" Mr. President, Sir, the very fact that His Excellency has referred to the distress in Ganjam and Vizagapatam districts in his opening address to this Council does place the people of these two districts under obligation to the Government for the sympathy that is expressed in this distress. We know that early steps are being taken by the Government to afford relief to the distressed in these districts. When I tabled this motion for knowing the scope of the relief to be afforded to the poor sufferers, my main object was to induce the Government to widen the scope more than what it may be under the short note published as an appendix to the demand. It has been suggested that bamboo and timber will be given freely to the sufferers. As far as the town of Vizagapatam is concerned, it is not only the mud or thatched houses that suffered, but there are some quarters in the town which are inhabited by very poor people who once occupied a very rich position. For instance, the so-called Fort of Vizagapatam which is occupied by Muhammadan population, once very prosperous but now under adverse circumstances, is reduced to utter poverty. They live in tiled houses. From my personal experience, I can say that every one of these houses did suffer serious loss and unless relief is afforded to the poor inhabitants in that portion of the town, I am afraid that their houses cannot be rebuilt. Even now, some of the inhabitants are living in portions of public buildings such as the Kurupam market, and other places. That is one of the reasons that I urge in support of this motion.

" Then, Sir, we know that the first monsoon has completely failed in the Vizagapatam district and on account of the early rains in September, some crops were sowed throughout the district. But the two heavy rains, one about the 30th of October and the other, the cyclonic weather about the 17th of November, did great havoc to the district. All the standing crops are expected to yield very poor returns, and the distress in the district on this ground is very great.

" Sir, I want to make one other appeal to the hon. the Revenue Member in this connexion. The kists are to be collected in the months of January and later. As far as the wet lands are concerned, I mean the irrigated wet lands, there is no question about the collection of kists. I do not think that it will give any trouble. But the real difficulty is about the assessment on dry lands. The existing practice and the Standing Orders of the Board of Revenue do allow the grant of remission on dry lands in cases of distress like this. This is a matter for special consideration by the Revenue authorities. In this connexion, I wish also to state that whenever the first monsoon fails it is a matter of practice that even the irrigated lands are cultivated with dry crops, and whether they yield a crop or not, generally dry assessment is levied on them. But this year this must require a careful examination and in all cases where even the dry crops failed on account of the heavy rain, the Government should

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see their way to grant remission. I may bring to your notice, Sir, that the irrigated lands are generally cultivated with cholam when the first monsoon fails. In this year, most of these lands were cultivated with cholam as a dry crop in the irrigated lands. But on account of the two heavy rains which I have already mentioned, the crops did fail and the ryots do deserve remission of dry assessment even on the wet lands that were cultivated with dry crops. I have, then, Sir, to bring to the notice of the hon. the Chief Minister, the Minister for Local Self-Government, that he should show some sympathy towards the municipalities. I cannot now mention the extent of the damage that is done to the roads of the district board. As a matter of fact, it is the duty of the Government, as far as the trunk roads are concerned, to restore them to a good condition. As far as the district board is concerned, the Government are not justified in expecting the district board to spend a single pie of its own in restoring the trunk roads. As far as the second-class roads are concerned, they are also breached in many places and the breaches are such that it is necessary that the district board should take up the construction of culverts for the passage of surplus water in future. The abnormal rainfall of this year may be taken as the standard for the future and the excess rainfall over the normal should be provided for and necessary culverts should be constructed. Even in this case the hon. the Chief Minister may examine the question and induce the Government to afford extra contribution towards the second-class roads. I do not think that that claim is an extravagant one and I believe the Local Self-Government Ministry will find its way to lay down certain principles of relief in this line. I only invoke the precedent of Malabar and I believe the Government have established some precedents as to the nature of reliefs that ought to be afforded in special cases like this. They may adopt the same lines of relief in the case of this district board also."

(At this stage the hon. the Deputy President took the chair.)

Sriman BISWANATH DAS Mahasayo :—" Mr. Deputy President, Sir, we are sorry we have approached the House with Motions for reduction when we ought to ask for more. It is a pity that under the Government of India Act, the Council has not got the power to enhance the grant. It is therefore our bounden duty to impress on the Government the necessity of more grants in view of the history of woes and sufferings of the people of Ganjām and Vizagapatam, sufferings and woes which they have never seen for probably 50 or even 100 years before."

Mr. YAHYA ALI SAHIB Bahadur :—" May I ask, Sir, if the House will not be adjourned as usual at 1 O'clock to enable the Muhammadan members to attend to their prayers?"

1 p.m.

The hon. the DEPUTY PRESIDENT :—" Let this be finished."

Sriman BISWANATH DAS Mahasayo :—" Sir, without engaging the time of the Council any more, I may request the hon. the Law Member just to allow me to make some personal representations. I am also told that the hon. the Minister for Education is going to visit these tracts . . ."

Mr. A. V. BHANOJI RAO :—" Mr. Deputy President, Sir, I do not want to take up the time of the House very long, and I shall finish in a few minutes. In supporting this motion, I wish to thank the Government for the relief that was given to Vizagapatam. I represent the Vizagapatam

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urban constituency, and as you all know what the cyclone has done for the Vizagapatam city, I need not say much to you on that matter. The cyclone is quite unprecedented in the annals of at least the Vizagapatam district. I thank the Government for the relief they have so far given, but at the same time I do not think it is adequate, if that represents the whole grant that is going to be made by Government. In this connexion I must also say that the District Collector and all the officials of the municipality of Vizagapatam have done their best to relieve the sufferings of the people. I would request, at least on behalf of Vizagapatam city, that the hon. the Chief Minister would kindly take the trouble of coming over to Vizagapatam to see the damage done to the municipality itself. Once more thanking the Government for the relief already given, I support this motion, with the hope that another adequate sum may be allotted for the relief of Vizagapatam city."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. Deputy President, Sir, I do not want to prolong the discussion. I have heard with very great interest the remarks that fell from my hon. Friends. As to the suggestions that have been made by my hon. Friend, Mr. Narasimharaju, I may say that Mr. Macmichael is touring in the locality just now, and his observations will at once be communicated to him for such action as he may take which he will report to us.

"With regard to the amount, it is recognized by the Government that one lakh will not be sufficient, and in all probability we shall have to come before the Council for larger sums and I take it that the Council will be as ready to vote for larger sums in this cause as they have been in regard to this Motion."

Mr. A. RANGANATHA MUDALIYAR:—"May I respectfully suggest to you, Sir, that the debate may be put off until after lunch, as all the Muhammadan Members have gone out of their seats?"

The hon. the DEPUTY PRESIDENT:—"I wanted to know if it is the practice to adjourn for lunch at 1 O'clock on Fridays, but I find it is not. This is what the hon. the President said on the subject on 2nd September 1921 :

"Before we proceed to the other items of business, I should like to inform the House that the House will adjourn for lunch to-day (Friday), and on all subsequent Fridays when the Council is sitting at 1-30 p.m., and re-assemble at 2-30 p.m., the additional half an hour being given to suit the convenience of our Muhammadan Colleagues of this House, and I am sure I carry the House with me in deciding to this effect."

"This was put before the House and the House consented to this arrangement. In those days the House used to adjourn at 2 and re-assemble at 2-30 p.m. As we are now adjourning at 1-30 p.m., I do not think the request for adjournment at 1 O'clock ought to be persisted in. So the House will now proceed with the discussion."

Mr. G. RAMESWARA RAO:—"May I, with your permission, Sir, put one question to the hon. the Law Member? It is whether he proposes not to forget the claims of Bellary and Anantapur districts for remission, as they are famine-affected districts."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I think, Sir, it does not really arise out of this Motion. As soon as the Government finds the relief necessary, it will certainly give it."

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Rai Bahadur T. M. NARASIMHACHARLU :—“ Are there recent floods in Bellary and Anantapur, Sir? For, he is asking for relief under this grant which is only for relief from floods.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ He asks for relief on the ground that Bellary and Anantapur are famine affected.”

Sriman BISWANATH DAS Mahasayo :—“ May I ask one question, Sir? It is whether the hon. the Law Member will be pleased to furnish the reports submitted by the various officers of Government to the Members of this House for their information.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ In all probability all those reports will be placed on the table of the House, but I cannot give any definite information. I may say that a number of reports have been published already.”

The Amendment of Mr. Biswanath Das was, with the leave of the House, withdrawn, as also the Amendment of Mr. Narasimharaju.

The Motion was then put to the House and carried and the Grant was made.

Grant X.

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ Mr. President, Sir, I beg to move—

That the Government be granted an additional sum of Rs. 7,750 under “ General Administration—Reserved ”—to be provided from savings under Grant VIII—General Administration—Reserved.

“ Sir, as will be observed from the explanatory Memorandum furnished by the hon. the Finance Member, this represents the travelling expenses incurred by the Members of the Irrigation Committee, and the Memorandum itself gives in fairly full detail the circumstances under which this Committee has been appointed. There is only one word which I wish to add. In the course of the labours of this Committee it has been discovered that it is possible to meet many objections to the Bill. It differs in many points from the old Bill, and differs, if I may say so at this premature stage, in the direction of easing the situation and rendering more clear the rights of the various proprietors, zamindars and the ryots. Those departures have been initiated, and many of the suggestions have been accepted. On receipt of the Government of India's sanction, the Bill is expected to be introduced in January. But for the labours of this Committee, the atmosphere which prevailed at the introduction of the original Irrigation Bill—for there was a certain amount of distrust and suspicion—would not have been dissipated, as I think it has been. I think there can be no two opinions as to the usefulness of this Committee, or the necessity for its formation.”

Mr. S. SATYAMURTI :—“ Sir, I rise to oppose this Motion not on any merits of the Irrigation Bill, past, present or future, and I do not want to be understood to say anything with regard to the merits of the Bill as it may come before this House. I have very strong opinions on that and probably it may be that the Bill meets many of the points which I have in my mind. But what I want to draw the attention of this House to is the very extraordinary procedure which the Government seem to have adopted in this matter. Here is a Bill introduced before this House; this

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House summarily rejects it. Without therefore taking upon themselves the responsibility of reconsidering the Bill in the light of the criticisms offered in this Council or elsewhere, they go and appoint a Committee and ask this Council to sanction expenditure incurred for the further consideration of a Bill which they did not want and thereby limit the scope of its discussion in this Council. I dare say there are some Members of the Council here who sat on that Committee, and I have no doubt in my mind that they will bring a fresh mind to bear on the question when it comes before this House again. But I think it is somewhat of a handicap that before the main principles of the Bill have been discussed on the floor of the House and before the House has either accepted or rejected them, Members of this House should have been placed in the false position of having committed themselves more or less to the main provisions of the Bill, thereby truncating the freedom they would otherwise have in taking part in the discussion. And it seems to me somewhat wanting in the courtesy and the respect due to this Council that it should be asked to vote money for a Committee to consider a Bill which it did not want. I am not considering the basic principles of the Bill. It may be that the Bill is most beneficial. It may be that the acres which are now dry may become wet, or where one blade now grows two may grow hereafter. But all these facts, good facts, cannot materially alter the situation as I see. Here is a Bill which comes before the House, and the House says 'We do not want it'. And the Government calls some of us and appoints a Committee and pays travelling allowance. They discuss the Bill, and they may come and say here 'Here is a Bill which some of your Members have considered' and throw it at your face. I do not think that it is a proper procedure to sanction. To raise that constitutional point, Sir, I formally object to this grant and, in doing so, I do not want to be understood as committing myself to any opinion with regard to the merits or demerits of the Irrigation Bill or the labours of this Committee. But I only raise this constitutional issue."

The hon. Mr. C. P. RAMASWAMI AYYAR: — "Sir, I frankly own to a feeling of intense surprise that an aspersion has been cast upon the Members of this House, which, I take it, they will resent as they ought to. It is suggested that because Members of this House took part in the discussion of another Irrigation Bill, and they have been called upon to perform their function of advising the Government and have been called upon to help in the solution of a very difficult and tangled problem and to make suggestions to the Government for fashioning a new Irrigation Bill, they will not bring a fresh mind to bear upon it, and they are lost to their sense of responsibility, that they will forget, because there is this travelling allowance of Rs. 7,750, the elementary right which they have and the duty they owe to themselves and to their constituencies"

Mr. S. SATYAMURTI:— "On a point of personal explanation, Sir, may I respectfully suggest to the hon. the Law Member that next time he wants to answer me, he listens to my speech before he answers? I did not suggest that they would not bring a fresh mind to bear on the Bill. I said they would bring a fresh mind to bear upon the question, and secondly I only said this: that it is placing them in a false position to get them committed to the provisions of the Bill and then come to this House and so on. And I stand by that statement."

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The hon. Mr. C. P. RAMASWAMI AYYAR:—“Well, Sir, that statement having been made, I will repeat what I have already said. 1-15 p.m. What is it that has been done? Some of the Members of the last Council were appointed as Members to serve on this Committee. Is it the fault of the constituencies, I ask, that some of those Members have been returned to this new Council?”

Mr. S. SATYAMURTI:—“May I ask one question, Sir, whether the voters knew anything about this?”

The hon. the DEPUTY PRESIDENT:—“Will the hon. Member kindly sit down and allow the hon. the Law Member to proceed?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“The proceedings of this Committee were published in the press.

(At this stage the hon. the President took the Chair.)

“I take it, Sir, that the constituencies, when they elected these Members to the Council, knew that they were Members of the Irrigation Bill Committee, they knew that they had chosen to serve on the Committee and to help the Government in the situation in which it found itself. And to suggest as my hon. Friend, the Member for the University, suggests, that it is placing men in a false position to appoint them to places as Members of a committee designed to consider problems of real importance, is not only illogical, but is really a reflection upon the impartiality and the sense of justice of the Members of this House and of gentlemen who knew their business. That is only by way of prefatory remarks to what I have to say.

“What has the Government done? Here is a Bill which this House threw out on certain points. Endeavours have been made in this Bill to meet those points, and in order to ascertain how far we can succeed in the attempt, a Committee has been brought into existence. Does my hon. Friend, the Member for the University, suggest that if the Member for Irrigation—as he has every right to do—took nobody’s counsel but his own, re-wrote that Bill, and brought it forward to the House, that is a proper procedure?”

Mr. S. SATYAMURTI:—“Yes.”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“I hear ‘yes’. These interjections seem to me, Sir, to display a temperament which is lamentable. I make bold to say that people who will say ‘yes’ when a question of that kind is put, do not evince that sense of responsibility which ought to animate Members of this House. I submit that when a Member of Government appoints a Committee and takes for his assistance other Members from the Council, men who have ripe experience of the subject, to say that to do so is to handicap them on the ground that they cannot be expected to bring to bear a fresh mind on the subject when they become Members of this Council, is a reflection on them which will be resented, and I hope properly resented, by Members of this House. It seems to me that that is a temperament which ought to be deprecated and the House ought to be protected against a frame of mind which makes reflections such as those and assumes an attitude entirely derogatory to the dignity and the good traditions of this House.”

Mr. C. V. VENKATARAMANA AYYANGAR:—“I am sorry, Sir, to intervene in this debate, but it is better that we realize our position so far as this

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question is concerned. The question relates to the appointment of some Members of this Council to a committee for the purpose of discussing the Irrigation Bill. On this point I must say that I entirely differ from the hon. Member for the University, Mr. Satyamurti, and I must say that the Government should find opportunities of meeting Members of this Council as often as possible in various committees whenever it is possible to reconcile the different views of the Members of this House. I was myself a Member of this Committee. I may also say that I was not one of those who opposed the original introduction of the Bill in this House. I was one of the minority that supported its introduction. The majority of the House voted against its introduction and therefore it was thrown out. As one who had supported the introduction of the Bill, as one who very much regretted that the Bill should have been fully thrown out, and as one who thought that it would have been better probably to have amended it properly in the Select Committee, I took advantage of this Committee to meet various friends who held different views on this Bill and to talk to them as to what could be done to bring forward a Bill at an early stage in the life of the new Council. I do not understand what the hon. Member for the University means when he says that Members who were on this Committee are likely to find themselves in a difficult position when the Bill again comes up to this House for consideration. I do not know if he means that Members who opposed some measures in the Committee will not repeat their opposition in this House. I do not know if he means that those who supported some provisions of this Bill will not change their views in the Council when they find that sufficient reasons are given against those provisions. The position of such committees is exactly the same as the position of the Select Committees."

Mr. S. SATYAMURTI :—" May I say one word by way of personal explanation, Sir? I have no word to say about Members of the Select Committee. My point was that this was a Committee appointed *ad hoc* by the Executive Government, not as Members of this Council, but as Members in their individual capacity."

Mr. C. V. VENKATARAMANA AYYANGAR :—Knowing that my Friend would not object to the Members of this Council serving on Select Committees, because he was one of the Members of a Select Committee appointed in connexion with one of the Bills, I wanted to compare the position of Members of the Select Committee to that of the Members on this particular Committee. If there is no objection to my Friend and to those who think with him as Members of this Council going to the Select Committee, there can be similarly no objection to Members going into such committees. I will explain myself. Members of the Select Committee may have to express difference of opinion in the Select Committee. The majority may hold a view and the Bill may come up according to the majority of opinion. When the matter comes up before the Council, Members of the Select Committee may have to repeat their opinion which they expressed in the Select Committee, or when sufficient reasons are given in the Council, they may change their views. It is not correct to say that because I was a Member of this particular committee and, as such, gave expression to particular views, I should stick to them in the Council even when sufficient reasons are given against the view I hold in spite of the fact that the majority held a different view. I am one of those who

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think that Members of the Government should try to meet Members of the Council and non-official opinion outside more often than at present. There is no use in their shutting themselves up in camera and doing things as they please, but I would ask them as responsible persons to take Members of this Council and members of the outside public into their confidence when such questions arise. I think that has been the practice as regards several Bills before. We have had a number of committees appointed with the object of bringing in Bills later on. That was the object when an Andhra University Committee was appointed; that was why a Secondary Education Committee was appointed; and that was the reason why the Religious Endowments Bill Committee was appointed; and if only the constitution of the Religious Endowments Bill Committee was different, we might not probably have had so many objectionable features in it. All that I say is that as often as possible and at as many stages as possible, the Government should take Members of this Council and members of the outside public into their confidence before they decide upon any particular course of action. If, therefore, in this particular Bill, the Irrigation Bill, which I have always considered very useful, Government have taken steps to consider public opinion with a view to change some of their views—it is rather difficult that the bureaucracy should do so—if they have taken steps to invite opinion from some non-official members of this Council to come to their aid to enable them to change their views in conformity with public opinion, I think it is very desirable that they should do so always. As a Member of the Committee, I may once more say that I am not bound by any decisions of the Committee. I still retain the liberty of speaking out my own views. I therefore say that such committees are very welcome and so this Grant for the travelling allowance of Members, which is after all not a very important matter, may be sanctioned.”

The Motion was put and carried and the Grant was made.

Grant XVIII.

The hon. the RAJA OF PANAGAL :—“ Mr. President, I beg to move—

That the Government be granted an additional sum of Rs. 19,100 under ‘Medical--Transferred’ to be provided from savings under Grant VIII—General Administration—Reserved.

“ Sir, hon. Members may have been aware that in December last there was a special Grant made of Rs. 27,000 for the purchase of the equipment required for the teaching of bio-chemistry and bio-physics in the Madras Medical College. The equipment was, however, not purchased inasmuch as the equipment was to be selected by the bio-chemist who was only very recently appointed. The amount, therefore, lapsed. Now that orders have been passed for the purchase, out of the amount of Rs. 27,000, we can have as much as Rs. 7,900 to be reappropriated from the savings of the amount allotted for the salary of the bio-chemist, and the balance can be met from the general savings under Grant VIII. In these circumstances, the Grant is necessary.”

The hon. the PRESIDENT :—“ Before we rise for lunch, I would like to say how I have ruled as follows on the point of order raised the other day in regard to the Motion of Mr. Ranganatha Mudaliyar.